

(quoting *Brown & Williamson Tobacco Corp. v. F.T.C.*, 710 F.2d 1165, 1179 (6th Cir. 1983)). “Only the most compelling reasons can justify non-disclosure of judicial records.” *In re Knoxville News-Sentinel Co.*, 723 F.2d 470, 476 (6th Cir. 1983). “The proponent of sealing therefore must ‘analyze in detail, document by document, the propriety of secrecy, providing reasons and legal citations.’” *Shane*, 825 F.3d at 305-06 (quoting *Baxter Int’l, Inc. v. Abbott Labs.*, 297 F.3d 544, 548 (7th Cir. 2002)).

The presumption that court records will remain open to the public can be overcome by a showing that “disclosure will work a clearly defined and serious injury.” *Shane*, 825 F.3d at 307 (quoting *In re Cendant Corp.*, 260 F.3d 183, 194 (3d Cir. 2001)). A showing that the information sought to be sealed constitutes trade secrets is typically enough to overcome the presumption of access. *Shane*, 825 F.3d at 308.

Weber Decl. Exhibit C contains Plaintiff’s source code is subject to copyright protection and by contract and otherwise restricted from dissemination. Plaintiff is a software company, and its source code is central to that software, licensing of which is the source of Plaintiff’s revenues. The source code contained in Weber Decl. Exhibit C is some of Plaintiff’s source code which is at issue in this dispute. The parties do not dispute and have agreed that the parties’ source code in general and the source code in question here should be maintained as confidential and protected from public dissemination.

Respectfully submitted this 3rd day of April, 2023.

/s/ John L. Wood

Cheryl G. Rice, Esq. (BPR #021145)
John L. Wood, Esq. (BPR #027642)
Rameen J. Nasrollahi, Esq. (BPR #033458)
EGERTON, McAFEE, ARMISTEAD & DAVIS, P.C.
900 S. Gay Street, Suite 1400
P.O. Box 2047
Knoxville, TN 37902
(865) 546-0500 (phone)
(865) 525-5293 (facsimile)
crice@emlaw.com
jwood@emlaw.com
masrollahi@emlaw.com

Morgan Chu (CA Bar. No. 70446)
David Nimmer (CA Bar. No. 97170)
A. Matthew Ashley (CA Bar. No. 198235)
Olivia L. Weber (CA Bar. No. 319918)
IRELL & MANELLA LLP
1800 Avenue of the Stars, Suite 900
Los Angeles, California 90067-4276
(310) 277-1010 (phone)
(310) 203-7199 (facsimile)
mchu@irell.com
dnimmer@irell.com
mashley@irell.com
oweber@irell.com

Attorneys for Plaintiffs
SNMP Research International, Inc. and
SNMP Research, Inc.